



PATENT
04116-P0001B GSW/HJP
04116-P0001C GSW/HJP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	Walter Jones
Application Nos. 10/767,131 11/074,091	Filing Dates: January 29, 2004 March 7, 2005
Title of Applications:	Tablecloth Covering And Method of Covering And Skirting A Table
Confirmation No. 4367	Art Unit: 3637
Examiner	Jose V. Chen

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Affidavit of Commercial Success Pursuant to 37 CFR 1.132

Dear Sir:

I, Larry Edigner, co-inventor of U.S. Patent Application No. 11/074,091 and President of SMT Solutions, Inc., assignee of the U.S. Patent Application Nos. 10/767,131 and 11/074,091, with offices at 160 Johnson Avenue, Hackensack, NJ 07601, submit this Affidavit of Commercial Success including evidence submitted to traverse the pending rejection of all claims of U.S. Patent Application Nos. 11/074,091 and 11/074,091 applications as obvious under 35 U.S.C §103. I hereby declare:

- 1) SMT Solutions, Inc was founded by Walter Jones and me, in December of 2003. We financed the company by taking home equity lines and using savings in excess of over \$200,000 to get started.
- 2) Walter, the inventor of the subject matter of both pending applications, has worked in the tradeshow decorating industry for over 10 years and has always tried to come up with ways to improve products in the industry cut costs. For example, one of the biggest expenses in this industry is the high cost of union labor. Presently, the nation wide average rate is approximately \$42.00 per hour. There is a continual need in industry to provide high quality decorating products to trade shows and exhibitions, while reducing costs involved with labor, as well as materials.

- 3) Generally, at trade show and exhibition events in the United States and Canada, certain items are used as the standard. One item in particular is the tables, of uniform size and dimensions, which are rented by exhibitors to be used in their booths at the trade show. Generally, decorating contractors in the United States and Canada are hired to set-up these tables at exhibitions and trade show events, with the tables typically having dimensions of 4', 6' or 8' in length by 24" or 30" width.
- 4) Prior to use at the trade show, these tables are decorated according to a standard of covering the top of each table with vinyl and then skirting each table around its 4-sides. Typically, the "old way" of covering these tables consisted of taking a 50 pound roll of vinyl and estimating the correct length needed to cover the table and cutting that amount off the roll. Typically, this results in over-cutting the length rather than coming up short, and then stapling the excess material around outside of the table. Thus, there is costly laborer time spent estimating the proper length and excess vinyl cut due to the need to overestimate. Generally, this process is costly based on the 3.5 minutes per table to install, which roughly translates, based on the typical \$42.00 hourly labor rate, to a labor cost of \$2.45. Plus, to cover a table of 6' in length, for instance, there is a cost of \$0.80 for the cost of material and a cost of \$0.13 for the staples. This results in a total labor and material cost of \$3.38, in the case of a 6' table.
- 5) After its use at the tradeshow, the tables must be stripped of the vinyl and folded for storage and/or in anticipation of re-use at the next trade show or event. Generally, the vinyl is torn off with the unfortunate consequence of staples protruding and causing injuries to laborers who are working with the tables. Further, eventually over time, the tables which are repeatedly re-used at these trade show and exhibition events, become inundated with staples and in order for them to be re-used, a great deal of time must be spent to remove the many staples that have accumulated. Again, the system of covering trade show tables presently used in the industry includes inefficient use of resources and labor, and resultantly costly.
- 6) In attempts to save time, reduce various costs, and improve efficiency of the aforementioned process of constructing a tradeshow table cover and/or method of covering a trade shown table, Walter invented the subject matter of the pending U.S. Patent Application No. 10/767,131 and then he and jointly, along with a third co-inventor, invented the subject matter of the pending continuation-in-part U.S. Patent Application No. 11/074,091, the latter including further modifications and advantages from Walter's original invention. Specifically, a cover for a trade show table is pre-formed with a top cover, side drops extending downwardly to free edges and pre-fitted corners that fits and holds the table cover to the trade show table of standard sizes, e.g. 4', 6' and 8' in length and 24" and 30" width.

- 7) The table cover is constructed and pre-sized so that it fits on the tabletop, with the pre-formed or pre-fitted corners holding it thereon for use at a trade show. This eliminates the labor time needed in the traditional method of constructing a table cover as known in the art, i.e. rolling out the large roll of vinyl, estimating a needed length, cutting the needed length, placing the vinyl in the table and stapling it to the sides. It eliminates the waste involved with overestimating vinyl and removes the needs for staples and stapling equipment.
- 8) In addition to saving labor and resources during set-up of trade show tables, the product embodied by the claims of the present invention results in a savings at the time of disassembling the trade show tables. The product is easily removed from the table and discarded. There is no tearing of vinyl and no removal of staples, saving a great deal of labor time and cost. Another important benefit of the products embodied by the claims of the pending application is the reduced amount of injuries to laborers that otherwise result from staples that protrude from the sides of the trade show tables over time.
- 9) Products embodying the claim elements of the pending applications are presently sold by our company SMT under the tradename Q-Top™. The commercial product covered by claims of these pending patent applications, installs without measuring, cutting and stapling in less than 30 seconds and offers a substantial savings based on a unit cost of \$1.99 +30 seconds of labor which equals about \$0.35 for a total of \$2.34. The savings per table is estimated to be about \$1.09 per table covering.
- 10) Another important benefit is the reduced amount of injuries from protruding staples that stick out when the stapled vinyl is torn off when removed, using the old method of covering tables. Further, eventually over time, the tables which are re-used in these trade show and exhibition events, are inundated with staples and the time must be spent to remove the many staples that have accumulated.
- 11) SMT has had an increasing sales month by month because the product, provided in pre-set dimensions, having side drops extending downwardly to free edges and pre-fitted corners to hold the cover on the table, removing the need for stapling, has shown the ability for decorating contractors to save time and money. The product is currently being sold to over 50 different customers in the US and Canada. Sales have increasingly risen over the course of the sale of this product. The sales figures have dramatically increased as follows:

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	<u>Units Sold</u>	<u>Sales (\$)</u>
Second half of 2004	70,000	\$190,000.
First half of 2005	105,000	\$260,000.
Second half of 2005	200,000	\$500,000.
Projected first half of 2006	325,000	\$700,000.

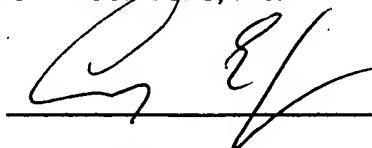
12) In one example, GES decorating company, known in the industry as one of the largest decorating contractors, has made the Q-Top™ "standard operating procedure" in 2006 for all of its 26 locations where locations are held. The company is currently adding about 2-4 new customers per month.

13) Clearly, is the time and cost-saving features of the product, the pre-sized polymeric film (to fit 4", 6" or 8" long by 24" or 30" wide tables), the side drops, and the pre-formed or pre-fitted corners, that have lead to the commercial success of the product.

The undersigned declares: all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

SMT Solutions, Inc.

2/27/06
Date


Larry Edinger
Its: President